

providing an exchange for trading the derivative at a price related to the price of the securities within the portfolio; and

displaying in real time the price that the derivative was traded on the exchange.

181. The method of claim 180 wherein the investment objective includes providing an index.
182. The method of claim 180 wherein the investment objective includes aggressive growth.
183. The method of claim 180 wherein the investment objective includes growth and income.
184. The method of claim 180 wherein the investment objective includes growth.
185. The method of claim 180 wherein the investment objective includes income.
186. The method of claim 180 wherein the investment objective includes investing in a sector.
187. The method of claim 180 wherein the investment objective includes equity.
188. The method of claim 180 wherein the investment objective is small companies.
189. The method of claim 180 wherein the investment objective is bonds.
190. The method of claim 180 wherein the investment objective is government bonds.--

#### REMARKS

This Preliminary Amendment is being submitted in connection with a continuation Application. Independent Claim 53 has been retained for purposes of this filing. Claims 90-190 have been added. No new matter has been added by the above amendments.

Applicants enclose with this Preliminary Amendment a fee calculations sheet along with a check for the amount due. The Commissioner is hereby authorized to charge payment of any deficiency in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is enclosed for that purpose.

In accordance with 37 C.F.R. 1.121, Applicants attach hereto one (1) sheet containing those mark-ups corresponding to the claim 53 amendments.

09843278-042404

Attorney Docket No. 3001 P 016

Title: "Open End Mutual Fund Securitization Process"

Inventors: Kenneth Kiron and Kevin S. Bander

Page 8

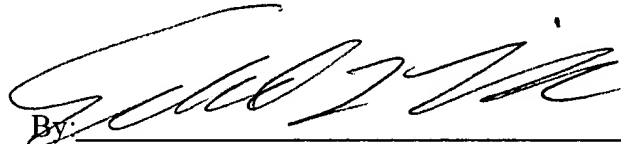
It is submitted that the currently pending claims are in condition for allowance. Should the Examiner have any issues or concerns, the undersigned respectfully requests a telephonic or personal interview.

Respectfully submitted,

Dated:

4/24/01

By:



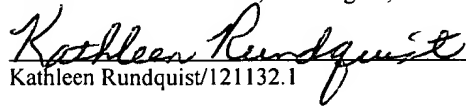
Edward L. Bishop, Registration No. 39,110  
WALLENSTEIN & WAGNER, LTD.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300  
Attorney for Applicant

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EL626159351US

Date of Deposit: April 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: BOX Patent Application, Fee, Commissioner for Patents, Washington, D.C. 20231.



Kathleen Rundquist/121132.1

09843278-04401

**ATTACHMENT A**

53. (Amended) A method comprising the steps of:

[identifying a group of securities];

[separating the group of securities into a sector comprising a subset of the group of securities within a substantially similar industry;]

creating a[n open end fund] derivative based on a unit investment trust having a number of [outstanding] shares and having a portfolio comprising of [the] securities within [the] a subgroup of a group of securities and satisfying an investment objective [sector;

changing the securities comprising the sector;

changing the securities comprising the fund in response to the changing of the securities comprising the sector];

trading the [outstanding shares of the fund] derivative on an exchange at a [real time determined] price related to the securities within the portfolio [comprising the sector]; and

outputting an indication of the [real time determined] price in a humanly readable format.

09343278-042401